

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TAISHA PENA, *individually and on behalf of all others similarly situated*; KEVIN DE LA CRUZ, *individually and on behalf of all others similarly situated*; JIZMARC PADILLA, *individually and on behalf of all others similarly situated*,

Plaintiffs,

v.

NB NETWORK SOLUTIONS INC. *et al.*,

Defendants.

USDC-SDNY
DOCUMENT
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DATE FILED: 1/29/20

No. 19-CV-1681 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

It has been reported to the Court that agreement has been reached on all issues in this Fair Labor Standards Act (“FLSA”) case. ECF No. 70. No later than March 11, 2020, the parties shall take one of the following three actions:

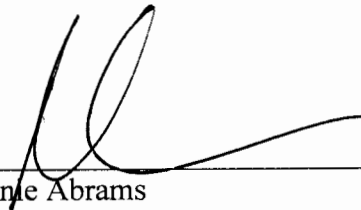
1. Submit a joint letter setting forth their views as to why their settlement is fair and reasonable and should be approved, accompanied by all necessary supporting materials. In light of the presumption of public access attaching to “judicial documents,” *see Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119 (2d Cir. 2006), the parties are advised that materials on which the Court relies in making its fairness determination will be placed on the public docket, *see Wolinsky v. Scholastic Inc.*, No. 11-CV-5917 (JMF), 2012 WL 2700381, at *3–7 (S.D.N.Y. July 5, 2012).
2. Submit a stipulation or notice of voluntary dismissal without prejudice pursuant to Federal Rule of Civil Procedure 41.¹

¹ The parties may not stipulate to dismissal with prejudice without the Court’s approval of the settlement. *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015).

3. Consent to conducting all further proceedings before Magistrate Judge Freeman by completing the attached consent form, which is also available at <http://www.uscourts.gov/forms/civil-forms/notice-consent-and-reference-civil-action-magistrate-judge>. As the form indicates, no adverse substantive consequences will arise if the parties choose not to proceed before Judge Freeman.

SO ORDERED.

Dated: January 29, 2020
New York, New York



Ronnie Abrams
United States District Judge